

HOUSE BILL 253

P1
HB 8/1SS11 – HRU

2lr0763

By: **Delegates Smigiel, Afzali, Boteler, Cluster, Elliott, Glass, Haddaway–Riccio, Hershey, Hough, Jacobs, Krebs, McComas, McDermott, Parrott, Ready, Schulz, Vitale, Aumann, Bates, Costa, Eckardt, Fisher, Frank, George, Hogan, Kipke, McConkey, McDonough, W. Miller, Myers, Norman, O’Donnell, Otto, Serafini, Stifler, and Szeliga**

Introduced and read first time: January 26, 2012

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Planning – Local and Regional Planning and Land Use**
3 **Powers – Prohibition on Restriction**

4 FOR the purpose of prohibiting the Department of Planning from adopting regulations
5 or taking certain actions that restrict the planning and land use powers of
6 certain local governments or regional planning agencies; and generally relating
7 to the authority of the Department of Planning regarding the restriction of
8 planning and land use powers of local governments and regional planning
9 agencies.

10 BY adding to
11 Article – State Finance and Procurement
12 Section 5–312
13 Annotated Code of Maryland
14 (2009 Replacement Volume and 2011 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – State Finance and Procurement**

18 **5–312.**

19 **NOTWITHSTANDING ANY OTHER LAW, THE DEPARTMENT MAY NOT ADOPT**
20 **ANY REGULATION OR TAKE ANY ACTION THAT RESTRICTS THE PLANNING AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **LAND USE POWERS OF ANY LOCAL GOVERNMENT OR REGIONAL PLANNING**
2 **AGENCY.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 June 1, 2012.